

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

<b>JAMARR DURAN BRINKLEY,</b>	)	
<b>Petitioner,</b>	)	<b>Civil Action No. 7:14-cv-00318</b>
	)	
<b>v.</b>	)	<b><u>DISMISSAL ORDER</u></b>
	)	
<b>HAROLD W. CLARKE,</b>	)	<b>By: NORMAN K. MOON</b>
<b>Respondent.</b>	)	<b>United States District Judge</b>

For the reasons stated in the accompanying memorandum opinion, it is hereby **ORDERED** that respondent's motion to dismiss (docket no. 3) is **GRANTED**; the above-referenced 28 U.S.C. § 2254 petition is **DISMISSED**; and this action is **STRICKEN** from the court's active docket.

Furthermore, finding that Brinkley has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c)(1), a certificate of appealability is **DENIED**.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the petitioner and all counsel of record.

It is so **ORDERED**.

ENTER: This 5<sup>th</sup> day of May, 2015.

  
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NORMAN K. MOON  
UNITED STATES DISTRICT JUDGE